S.B. Criminal Misc. Bail Application No.6675/2006
Fattu Khan and another Vs. State of Rajasthan

Date Of Order :: 7.11.2006

Hon'ble Mr. Justice Jitendra Ray Goyal

Mr. Imran Khan, counsel for petitioners.
Mr. R.P. Kuldeep, Public Prosecutor for State.

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Heard learned counsel for accused petitioners, learned Public Prosecutor for the State, perused the case diary and other material produced during the course of arguments.

It is contended on behalf of the accused petitioners that they have falsely been implicated in this matter, co-accused Iqbal and Alladeen were the partners and they were working as agents to send the villagers abroad, Alladeen hired the taxi which was driven by the accused petitioner and from Sikar Alladeen accompanied the co-accused Iqbal at his own will. It is also submitted that Alladeen is a man of criminal antecedents. It is also submitted that according to the prosecution case, no case of abduction is made out since there is no allegation that Alladeen was abducted with the intention of secret or wrongful confinement. It is also submitted that while Iqbal and Alladeen were going by the taxi, in the way police took Alladeen with it.

Learned Public Prosecutor opposed the bail application.

Without making any observation on merits, having considered the rival submissions made at the bar, nature of accusation, material on record and all other facts and circumstances, I deem it proper to grant the benefit of pre-arrest bail to accused petitioners Fattu Khan and Babu Khan.

In the result, the bail application is allowed and it is directed that in the event of arrest of petitioners Fattu Khan S/o. Ismail Khan and Babu Khan S/o. Chotu Khan, they shall be released

on bail by the concerned SHO/Investigating Officer in FIR No.160/2006 registered at Police Station Kotwali, Sikar provided each of them furnishes a personal bond in the sum of Rs.10,000/- together with two sureties each in the sum of Rs.5,000/- to his satisfaction on the following conditions:-

1. that the petitioners shall make themselves available for interrogation by a police officer as and when required;
2. that the petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or any police officer; and
3. that the petitioners shall not leave India without previous permission of the Court.

(J.R. Goyal),J.

VS Shekhawat/-
Jr.P.A.